

ADVISORY OPINION 93-005

Any advisory opinion rendered by the registry under subsection (1) or (2) of this section may be relied upon only by the person or committee involved in the specific transaction or activity with respect to which the advisory opinion is required. KRS 121. 135(4).

March 12, 1993

Hon. John C. Rogers
102 1/2 E Public Square
Glasgow, Kentucky 42141-2602

Dear Mr. Rogers:

Thank you for contacting the Registry. Your question asks:

May a candidate for office in Kentucky continue to give regular, personal gifts to charities?

KRS 121.150(2) expressly forbids candidates from giving to charitable causes and forbids charities from soliciting contributions from candidates. However, the General Assembly recognized the logical exception to this rule by stating in the statute:

[E]xcept that it shall not be construed as a violation of this section for a candidate or a slate of candidates to continue regular personal contributions to religious, civic, or charitable groups. KRS 121.150(2). (Emphasis added.)

The answer to your question is yes, Candidate Rogers may continue to give regular, personal gifts to religious, civic, or charitable groups. Candidate Rogers should exercise caution and avoid any possibility of making any of these personal contributions from his campaign fund depository account.

This opinion is based upon the course of action outlined in your letter. If you should have any more questions, please give us a call. Thank you.

Sincerely,

Timothy E. Shull
General Counsel

TES/dt